

Docket No. 10806-64

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Non-Fee Amendment; Assistant Commissioner of Patents, Washington, DC 20231 on

Dec. 9, 1999

Laureen E. Mains

Laureen E. Mains

**PATENT**

SAU 164H  
#6  
Election  
1/5/00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Vincente Dias et al

Serial No.: 09/158,272

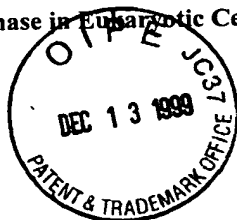
Group Art Unit: 1641

Filed: September 22, 1998

Examiner: J. Weitach

For: Use of Beta Recombinase in Eukaryotic Cells, Especially for Transgenic Work

Box Non-Fee Amendment  
Assistant Commissioner of Patents  
Washington, D. C. 20231



**RECEIVED**

DEC 16 1999

TECH CENTER 1600/2900

Dear Sir:

Transmitted herewith is a Response to Restriction Requirement in the above identified application.

☒ No additional fee is required.

☐ Also attached:

The fee has been calculated as shown below:

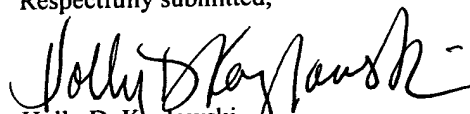
	NO. OF CLAIMS	HIGHEST PREVIOUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	26	26	0	x \$22 =	\$0
Independent Claims	5	5	0	x \$80 =	\$0
If multiple claims newly presented, add \$260.00					-----
<b>TOTAL FEE DUE</b>					<b>\$0</b>

☐ A check in the amount of \$0 is enclosed.

☐ Please charge my Deposit Account No. 04-1133 in the amount of \$0.

☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

  
Holly D. Kozlowski  
Registration No. 30,463

DINSMORE & SHOHL LLP  
1900 Chemed Center  
255 East Fifth Street  
Cincinnati, Ohio 45202  
(513) 977-8568  
Date: December 9, 1999  
510957.01

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Laureen E. Mains  
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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Vincente Días et al : Paper No.: \_\_\_\_  
Serial No.: 09/158,272 : Group Art Unit: 1641  
Filed: September 22, 1998 : Examiner: J. Woitach

For: **Use of Beta Recombinase in Eukaryotic Cells, Especially for Transgenic Work**

**RESPONSE TO RESTRICTION REQUIREMENT**

Box Non-Fee Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In the Official Action dated November 17, 1999, the Examiner required restriction under 35 U.S.C. §121 between claims 27, 28, 31-50 and 52 drawn to methods of genetic modification in animals, claim 29, drawn to genetic modification in plants, claim 30 drawn to genetic modification in microorganisms, and claim 51 drawn to a method of gene therapy.

Applicants hereby elect the method for genetic modification in animals defined by claims 27, 28, 31-50 and 52, for prosecution on the merits. This election is made with traverse on the basis that it would not be unduly burdensome for the Examiner to examine all of the indicated inventions which employ prokaryotic beta recombinase and its specific target sequences in this application.

It is believed that this represents a complete response to the Official Action, and examination on the merits is requested.

Respectfully submitted,

By Holly D. Kozlowski  
Holly D. Kozlowski, Reg. No. 30,468  
Attorney for Applicants  
DINSMORE & SHOHL LLP  
1900 Chemed Center  
255 E. Fifth Street  
Cincinnati, Ohio 45202  
(513) 977-8568